<div align="center"><u>REMARKS</u></div>

Claims 2-11, 13-15 and 18-19 are pending in the application. Claims 2-11 and 13-15 have been rejected. Claims 5, 9-10 and 18-19 have been amended. Support for the amendment may be found, *inter alia,* in paragraphs [0030] and [0032]. No new matter has been added. In view of the foregoing amendments and the following remarks, Applicants request allowance of the application.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

Claims 2-8, 10-11, 13-15 and 18-19 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office Action indicates that there is no disclosure in the specification regarding "a list of all mobile devices participating in the software application." The phrase has been amended to recite "a representation of configuration settings for each mobile device participating in the software application." Support for the amendment may be found, e.g., in paragraph [0030], which recites at ll. 12-18: "[i]n particular, with respect to the present invention, mobile solution descriptor 475 maintains a representation of configuration settings such as ... for each of respective mobile devices 315(1)-315(N) participating in a particular mobile application solution 350(1)-350(N)." Accordingly, the rejection under 35 U.S.C. 112, first paragraph should be withdrawn.

Claim 9 stands rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claim 9 has been amended. Withdrawal of the 35 U.S.C. 112, first paragraph rejections is respectfully requested.

Claims 2-8, 10-11, 13-15 and 18-19 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regard as the invention. With regard to "mobile device" of claim 5, line 5 of claim 5 has been corrected. With regard to "collective behavior" of claims 5, 10 and 18-19, these claims have been amended to recite "a collective behavior." Withdrawal of the 35 U.S.C. 112, second paragraph rejections is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 18-19, 2-3 and 13-14 stand rejected under 35 U.S.C. 103(a) as being obvious over Sudharshana et al. (OTA Mobile Device Software Development, hereafter "Sudharshana"),

in view of Mutler et al. (US 2002/0040369, hereafter "Mutler"). Claims 4 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sudharshana and Mutler, further in view of Caufield et al. (US Pat. Pub. 2007/0177571) (hereinafter "Caufield"). Claims 5-8 stand rejected under 35 U.S.C. 103(a) as being obvious over Chasman et al. (US Pat. Pub. 2007/0180075) (hereinafter "Chasman"), in view of Caufield, further in view of Sudharshana. Claim 9 stands rejected under 35 U.S.C. 103(a) as being obvious over Mutler, in view of Sudharshana. Claims 10-11 stand rejected under 35 U.S.C. 103(a) as being obvious over Kjellberg et al. (US Pat. Pub. 2003/0084165) (hereinafter "Kjellberg"), in view of Sudharshana.

Even under KSR, obviousness is not shown unless the cited art in combination teaches all elements of the pending claims. *See, Ex Parte Wollenhaupt*, BPAI, Appeal No. 2007-3142 (Mar 13, 2008). Here, the claims define elements that are not disclosed by the cited art. Withdrawal of the rejections is respectfully requested.

Claims 18 and 19 Define Over Cited References

Claim 18 recites, in relevant part:

> **storing an application descriptor for the distributed application on a server** accessible by the computing device(s), the application descriptor storing: a list of all resources necessary for the distributed application, and **a representation of configuration settings for each computing device participating in the distributed application** with respective resources for the distributed application installed thereon; and ...

Claim 19 contains these identical features. Neither of the cited references, Sudharshana or Mutler, teaches or suggests these bolded features. The Office Action alleges Sudharshana discloses "storing information." However, Sudharshana uses a server side Management Information Base (MIB) and a client side Patch Profile to store information. The MIB stores information for each terminal that the Management Server manages and different software patches ME needs to download. The client side Patch Profile stores version and resource information only for the respective client device. Neither the MIB nor the Patch Profiles stores **"a representation of configuration settings for each computing device participating in the distributed application"** as claimed. Thus, Sudharshana does not teach or suggest **"storing an application descriptor for the distributed application on a server"** as claimed. Moreover, Mutler only mentions an object hierarchy and does not cure the defects of Sudharshana. Accordingly, Sudharshana and Mutler, either alone or in combination, fail to

disclose each and every feature recited in the independent claims 18 and 19, and the rejection should be withdrawn.

Claim 18 further recites, in relevant part:

managing all resources for the distributed application and automatically configuring the computing device(s) using the application descriptor, including **generating a resource identifier** for a respective resource to be installed on a respective computing device **from the application descriptor and an identifier of the respective computing device**.

Independent claim 19 contains these identical features and neither of the cited references, Sudharshana or Mutler, teaches or suggests the bolded feature. The Office Action alleges Sudharshana's generation of a new patch ID is equivalent to this feature. However, Sudharshana merely states "Application Patch Generator assigns a unique ID to each new patch generated." As discussed above, Sudharshana does not even disclose an application descriptor. Further, Sudharshana's patch and license are stored with "ME *model* ID," which may merely identifies a *model* of a device but is not an identifier for *a computing device*. Mutler does not cure the defects of Sudharshana for this feature either. Therefore, combined Sudharshana and Mutler still cannot render claims 18 and 19 obvious, and the rejection should be withdrawn.

Dependent claims 2-3 and 13-14 depend from claims 18 and 19 respectively and are allowable for at least the same reasons as described above for their respective independent claims 18 and 19. Dependent claims 4 and 15 depend from claims 18 and 19 respectively and the Caufield reference fails to cure the defects of Sudharshana and Mutler. Withdrawal of the rejections and reconsideration is respectfully requested.

Claim 5 Defines Over Cited References

Claim 5 recites, in relevant part:

storing **an application descriptor**, the application descriptor describing the association between the first resource, the second resource, the third resource and, respectively, the mobile device, the middleware server and the backend server, and **the application descriptor maintaining a representation of configuration settings for each mobile device participating in the software application**, wherein the representation of configuration settings includes resources that are currently installed on a respective mobile device with respect to the software application.

None of the cited references, Caufield, Chasman, and Sudharshana, teaches or suggests these features. The Office Action concedes Chasman and Caufield does not disclose the above bolded

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features but alleges <u>Sudharshana</u> discloses similar features. *See* Office Action, page 9. As discussed above with respect to claim 18, <u>Sudharshana</u> uses a MIB on the server side and a Patch Profile on the client side. There is no **"application descriptor"** in <u>Sudharshana</u>. Further, neither the MIB nor the Patch Profile discloses **"a representation of configuration settings for each mobile device participating in the software application"** as claimed. Therefore, <u>Chasman</u>, <u>Caufield</u> and <u>Sudharshana</u>, either alone or in combination, fail to disclose each and every feature recited in the independent claim 5, and the rejection should be withdrawn.

Dependent claims 6-8 depend from claim 5 and are allowable for at least the same reasons as described above for claim 5. Withdrawal of the rejections and reconsideration is respectfully requested.

Claim 9 Defines Over Cited References

Claim 9 recites, in relevant part:

> at least **one second unique identifier specifying at least one computing device** to participate in the software application;
> at least one third unique identifier specifying at least one resource type, wherein the third unique identifier is associated with the at least one second unique identifier indicating that a resource identified by the at least one resource type is to be installed on the at least one computing device; and
> an association between each of the at least one computing device and the at least one resource type, wherein the association is formed by associating the third unique identifier with the second unique identifier, and **the association is used to generate a fourth unique identifier** for the resource to be installed on the at least one computing device.

Neither <u>Mutler</u> nor <u>Sudharshana</u> teaches or suggests these features. <u>Mutler</u> is directed to an object hierarchy and the Office Action concedes Mutler does not disclose generating a unique identifier for a resource to be installed on a computing device. The Office Action alleges <u>Sudharshana</u> disclose the feature. However, as discussed above with respect to claim 18, <u>Sudharshana</u> stores ME *model* ID instead of IDs for devices. Thus, <u>Sudharshana</u> does not disclose **"one second unique identifier specifying at least one computing device"** and accordingly, <u>Sudharshana</u> does not teach or suggest an **"association"** between a computing device and a resource type to be **"used to generate a fourth unique identifier"** as claimed. Therefore, <u>Mutler</u> and <u>Sudharshana</u>, either alone or in combination, fail to disclose each and every feature recited in the independent claim 9, and the rejection should be withdrawn.

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Claim 10 Defines Over Cited References

Claim 10 recites, in relevant part:

a database for storing at least **one application descriptor**, the at least one application descriptor representing an association between the distributed software application, computing devices participating in the distributed software application and resources to be associated with the computing devices, and wherein the at least one application descriptor **maintains a representation of configuration settings for each of the computing devices** participating in the distributed software application, wherein the representation of configuration settings includes information about resources currently installed on a respective computing device with respect to the distributed software application; and

Neither Kjellberg nor Sudharshana teaches or suggests these features. The Office Action concedes that Kjellberg does not disclose information about resources currently installed on a computing device with respect to the software application but alleges Sudharshana discloses these features. As discussed above with respect to claim 18, Sudharshana does not teach or suggest these features. Therefore, Kjellberg and Sudharshana, either alone or in combination, fail to disclose each and every feature recited in the independent claim 10, and the rejection should be withdrawn.

Dependent claim 11 depends from claim 10 is allowable for at least the same reasons as for claim 10. Withdrawal of the rejection and reconsideration is respectfully requested.

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CONCLUSION

All outstanding rejections have been overcome. It is respectfully submitted that, in view of the foregoing amendments and remarks, the application is in clear condition for allowance. Issuance of a Notice of Allowance is earnestly solicited.

Although not believed necessary, the Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600.

The Office is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

Date: January 30, 2009   /Robert L. Hails, Jr./
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